IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

To Be Assigned

Confirmation No.: TBA

Applicant(s):

CLARK, Alan D.

Filed:

Concurrent Herewith

TC/A.U. Examiner:

To Be Assigned
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Title:

Per-Call Quality of Service Monitor for Multimedia Communications System

Docket No.:

041253.008CONT

Customer No.:

25461

Mail Stop PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, Applicant is enclosing an Information Disclosure Statement by Applicant (Form PTO/SB/08a) and copies of the foreign and non-patent related documents cited therein. The relevance of the cited documents is indicated in the parent application, U.S. Patent Application No. 09/551,498 filed April 18, 2000.

It is respectfully requested that the cited documents be considered by the Examiner in the aboveidentified patent application and that the cited documents be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

A first Official Action has not yet issued for this application. Therefore, it is believed that no fees are due under 37 C.F.R. Section 1.97(b)(3).

Respectfully submitted,

By: Dale Lischer, Reg. No. 28,438

Dated: March 17, 2004

SMITH, GAMBRELL & RUSSELL, LLP

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| | | | | Application Number | To Be Assigned | |
| INFO | RMATION | I DIS | CLOSURE | Filing Date | Concurrent Herewith | |
| STA | TEMENT B | BY A | PPLICANT | First Named Inventor | CLARK, Alan D. | |
| | | | | Art Unit | To Be Assigned | |
| (Use as many sheets as necessary) | | | | Examiner Name | To Be Assigned | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 041253.008PCT | |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|------------------|--|------------------|--|--|--|--|
| Examiner | Cite | Document Number | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear | | |
| Initials * | No. ¹ | Number - Kind Code ² (if known) | MM-DD-YYYY | | | | |
| - | | US- 5,710,791 | 01-20-1998 | ROYER ET AL. | | | |
| | | US- 5,768,527 | 06-16-1998 | ZHU ET AL. | | | |
| | | US- 5,867,813 | 02-02-1999 | DI PIETRO ET AL. | | | |
| | | US- 5,961,599 | 10-05-1999 | KALAVADE ET AL. | | | |
| | | US- 6,363,053 B1 | 03-26-2002 | SCHUSTER ET AL. | | | |
| | | US- 6,512,746 B1 | 01-28-2003 | SAND | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--|--|---|---|---|--|--|--|
| | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | | | |
| No.1 | Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>) | | | | T⁵ | | | |
| | EP 0 579 472 A2 | 01-19-1994 | MITA INDUSTRIAL CO., LTD. | | | | | |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| | | 0 N D 10 | | Application Number | To Be Assigned | |
| | | | CLOSURE | Filing Date | Concurrent Herewith | |
| STATEMENT BY APPLICANT | | | | First Named Inventor | CLARK, Alan D. | |
| | | | | Art Unit | To Be Assigned | |
| | (Use as mai | ny sheets as | necessary) | Examiner Name | To Be Assigned | |
| Sheet | 2 | of | 2 | Attorney Docket Number | 041253.008PCT | |

| | | NON PATENT LITERATURE DOCUMENTS | | | | |
|------------------------|---|---|--|--|--|--|
| Examiner Initials * | Cite No. 1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | | |
| | | DEMPSEY, B.J. ET AL., "An empirical study of packet voice distribution over a campus-wide network," Local Computer Networks, 1994, Proceedings, 19 th Conference in Minneapolis, MN, USA, 2-5 Oct 1994, 2 October 1994, pages 456-465, IEEE Comput. Soc, Los Alamitos, CA, USA | | | | |
| | | RUBIN, 1. ET AL., "Voice quality control under dynamic encoding algorithms in ATM networks," Computer Networks and ISDN Systems, vol. 29, no. 3, 1 February 1997, pages 343-355, North Holland Publishing, Amsterdam, NL | | | | |
| | | SALLENT, O. ET AL., "An efficient data transmission policy in an integrated voice-data DS-CDMA network," Vehicular Technology Conference, 1998, VTC 98, 48 th IEEE Ottawa, Ont., Canada 18-21 May 1998, 18 May 1998, pages 2393-2397, IEEE, US, New York, NY, USA | | | | |
| | | DOUSKALIS, IP Telephony, Chapter 4, Prentice Hall, 2000 | | | | |
| | | JOHANNESSON, The ETSI Computational Model, IEEE Comms. Magazine, Jan 1997, pages 70-79 | | | | |
| | | CERMAK, "Speech Quality as a Function of IP Network Performance," TI Committee Contribution TIAI.7/98-022, June 1998, www.tl.org | | | | |
| | | CERMAK, "Voice Over IP Speech Quality," TI Committee Contribution TIAI.7/99-011, May 1999 | | | | |
| | | ECTEL, Quali.net Product Information, www.ectel.com | | | | |
| | | NETRUE, NeTruedos product information, www.netrue.com | | | | |
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